

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DONNIE KING,)
)
Plaintiff,)
)
)
v.) No. 3:10-00454
) Judge Sharp
C.B.C.X. ANNEX DEPARTMENT OF)
CORRECTIONS, MEHARRY)
(GENERAL HOSPITAL), DR. WAYNE)
MOORE, DR. THOMAS LIMBIRD,)
and TENNESSEE DEPARTMENT OF)
CORRECTIONS,)
)
Defendants.)

ORDER

On August 10, 2011, the Magistrate Judge entered a Report and Recommendation (Docket No. 109), recommending that Defendant Dr. Wayne Moore's unopposed Motion for Summary Judgment (Docket No. 103) be granted and the claims against him dismissed. Despite being specifically advised in the Report and Recommendation that any objections to the recommended disposition needed to be filed within fourteen days, Plaintiff has filed no objections.

Having conducted a *de novo* review of the matter in accordance with Fed. R. Civ. P. 72(b), the Court agrees with the Magistrate Judge's recommendation that summary judgment be granted in favor of Defendant Moore. Accordingly,

- (1) The Report and Recommendation (Docket No. 109) is hereby ACCEPTED and APPROVED;
- (2) Defendant Moore's Motion for Summary Judgment (Docket Entry No. 103) is hereby

GRANTED because Plaintiff has not established triable issues on whether Defendant Moore was deliberately indifferent to a serious medical need, or whether he committed medical malpractice; and

(3) All claims against the other parties having previously been dismissed, this case is hereby DISMISSED WITH PREJUDICE.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.


KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE